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FRANCE;

ITS

PRESENT POLICY

AND

GOVERNMENT.

BY JAMES F. LYMAN,

OF NEWARK, NEW JERSEY.

New York:
JOHN F. TROW & CO., PRINTERS, 50 GREENE STREET.
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THERE is much to remind the visitor of France of the boasted Latin element in the origin of its population. The baths, the words of the notices posted along the streets, and the names of the *Cafés* and shops are Latin in their character. These indications, and other features of French life incline one to the belief that if, as some suppose, races are born, develop and decay, and have a natural period of existence like the individual plant or animal, they also retain, under all changes, certain peculiar characteristics, impressed upon them in their origin. These seem the law of their being, and continue to exist, as identity in the individual mysteriously eludes and survives all changes in character and corporeal substance.

Further acquaintance with the country strengthens the impression. To provide *panem et circenses* for the populace was the policy of the Roman governments, and one of the chief means upon which they relied for the prevention of discontent, and the maintenance of their power. The conception of the duties and obligations of government in France is similar.

For the performance of one of these duties, that of providing the people with bread, there has been much legislation in France. We read in the Paris journal of the morning a description of the action recently had by some provincial city under a law for the regulation of the price of bread. Formerly the government sought to perform its paternal duty of providing bread for its citizens by singling out farmers from other producers, and fixing the price for which they might sell their grain. But whenever such regulation reduced the price of grain below its proper price, as compared with other products, less grain was raised than otherwise would have been. Its natural price was thereby still further increased, and the regulation aggravated the very evil it was intended to remedy. At the present day the law only subjects to a tax bread, when sold at a price deemed unreasonably high in proportion to the market price of grain. It vests in the mayors of the cities discretionary power to decide when the time has arrived for such tax to be collected.

But the legislation under which the stupendous changes and improvements that have been and are being made in Paris and the other cities of France is legislation of the same class, as is shown by the motives from which they are in part undertaken. These motives are, that by means of the public works, the government may provide food and employment for the men engaged upon them. It is said that no less than three hundred thousand workmen are employed upon these works. In this way only are order and tranquillity secured. The working-man does not in France, as in our own country, himself form the government. By the theory of the government, he is a troublesome, unreasoning beast, and he must be kept well fed in order that he may be quiet. And to keep him quiet is, under the Roman and French theory, one of the principal objects of government.

It is plain that the money thus expended in providing for these three hundred thousand workingmen, falls back again upon the workingmen in the shape of burdensome taxation upon every article of food and clothing. So far as the government undertakes public works as a measure for providing the populace with bread, it does not advance towards its object, but moves in a circle.

The works which have been undertaken in France have been undertaken principally, however, for purposes of ornament and show. This is especially true in regard to those within the city of Paris. The habitations of the workingmen are demolished, and the houses erected in their place are so fine that they cannot afford to live in them. The *octroi*, or tax upon provisions and other articles introduced within the city, drives the coarse forms of industry, which are so repulsive to the eye of taste, from within its limits. And the administration avows in its *communiqués*, that this is no ground for regret, as its object is to render Paris a resort for pleasure-seekers, and the most beautiful city of the world.

Enter the city by the *Arc de l'Etoile*, and proceed by the avenue of the *Champs Elysées* to the *place de la Concorde*, so called, perhaps, because in its centre, all through the reign of Terror, stood the bloody guillotine, and day after day wrought the peace of death. Or, stand upon the bridge over the Seine, that still bears the name, Neuf, or New, it received when built in the reign of Henry IV., and view the river rushing along its banks of solid masonry crowned, as they are, with noble structures. What city possesses a more splendid entrance, a more magnificent *place*, or a nobler river?

Beyond the fortifications upon the west and the east, stretch the beautiful woods of Boulogne and Vincennes, each containing about two thousand acres, and for the improve-

ment of each of which vast sums have been expended. Within the fortifications upon the north and the south, the parks of *Saint Chaumont* and *Maison Blanche* will soon be completed, and upon them all the resources of the modern art of landscape gardening are being lavished. Paris, according to the plan which has been adopted, is to rival ancient Thebes in magnificence, and like it have its hundred gates, with a broad avenue leading to each of them.

The argument of Baron Haussman, the *Prefet de la Seine*, under whose direction the improvements within the city of Paris are conducted, is, that the museums, the statuary, the avenues, the architecture, and all the bright, consummate beauty of the city will attract countless visitors, whose disbursements will restore, with ample addition, all that they may have cost.

But visitors, though millions in number, receive for all the money they expend for their entertainment, an equivalent in the labor and stores consumed in such entertainment. The visitors pass away and leave no substantial product for what they have consumed beyond the price they have paid. While the coarse industry, so repulsive to refined taste, would pay the same price for the labor and stores paid by the visitors, and in addition to the payment of such price, would substitute for the labor and stores consumed substantial products of even larger value, as a permanent increase to the material wealth of the state. This process would be repeated each successive year, and each year a new addition be made to such material wealth. Manchester and Liverpool are less beautiful than Paris, but their capital is invested in a more permanently productive form.

France was not more completely transformed under Louis XIV, than it has been under Louis Napoleon. For this purpose vast sums have been expended, and to provide them

bonds have been issued. Besides the payment of principal and interest, prizes are awarded to a certain proportion of them by lot. Each bond, therefore, besides having the operation of an ordinary bond, is also a share in a lottery. The sums expended by Louis XIV at Versailles and elsewhere were so enormous that no government of France has dared to disclose their amount, and the impositions to which they led brought on the French Revolution. Louis Napoleon may profit by the example.

The difficulty of paying the interest upon the bonds increases with the increase of their amount. The consequences of the Emperor's failure in his Mexican scheme and his other mistakes have not yet been fully developed. For many years he has been engaged in repairing and restoring the ancient church Saint Denis, near Paris, the burial-place of the kings of France, and in providing in it a final resting place for the departed members of the Napoleonic dynasty. Meanwhile, the ground upon which he himself stands is crumbling beneath his feet, and the perpetuation of his dynasty is becoming every day more improbable.

But the Roman governments not only provided bread for their people, but the games of the circus for their amusement. The same policy is obvious in the administration of the French government. What the Coliseum was to ancient Rome will the Grand Opera House, now nearly completed, be to modern Paris. It forms the centre from which its grandest streets and avenues radiate. The airy *pirouettes* of the French *danseuses* have taken the place of the vigorous struggles of the Roman gladiators. The festivals of the Romans still survive under different names in the festivals of the Catholic Church. Dramatic representations are promoted by means of large annual subsidies to the theatres, and by laws for the encouragement of dramatic compositions, in

order that by means of them the citizens may be reconciled to obedience to the laws. The indecencies of the public balls of Paris are protected by so ponderous and formidable an apparatus of *gendarmes* and *sergents de ville*, that they are an institution of state. Strange the support that government receives from such an institution.

The French empire claims to exist by the consent of the people, but it is in fact maintained by the army and military force, as was the Roman. If the legions of France have not, like those of Rome, subjugated the world, they have at least attempted it. And if the Pretorian guards of France have not bartered the throne for the vast treasures received by the Pretorian guards of Rome, the allegiance of its gallant officers is secured by the hope of *avancement*, or promotion, and is as mercenary. Promotion gives the government its hold upon the army, through its officers, and is the most formidable obstacle in the way of the liberation of France. The army is designed as much for the forcible maintenance of arbitrary dominion against any effort of the people to throw it off, as for their protection from foreign enemies, and the wars in which the present emperor has successively engaged, have been undertaken for the sake of its officers, and to increase their chances of promotion. To keep up this army, all the able-bodied men of the empire are for five years of their lives completely withdrawn from productive industry. Large sums are also, of course, expended for their support and equipment, and other large sums expended in constructions for the same end. Even the avenues and streets of Paris, which are opened at such enormous expense, appear to be laid out not exclusively with reference to the public convenience, or even to correspondence with its hundred gates, but partly for the formation of strong military points within the city, by means of which it might be held in subjection

in case of disturbance. The very sewers are constructed with reference not only to drainage, but also with a view to the transportation of troops. By means of the subterranean railways laid down within them, troops may be suddenly and unexpectedly brought out of the bowels of the earth at any point desired, to the surprise and discomfiture of any insurgents who may hereafter erect barricades within the city.

The body of the law of France, like that of its language, is the same with that of Rome. The word *lex* represents the abstract idea of that for which, excepting war, Rome was most famous. To be governed by the same laws with the patricians was the object for which the Roman plebeians struggled so long under the republic. Equality before the law was, it is true, finally obtained by them, but only upon the loss of liberty. So in France before the Revolution, numerous customs and privileges made the position of the citizens of different parts of the kingdom, and that of different citizens in the same part, different before the law. Since the Revolution, the French have had equality; but, though they have gained equality, they too have lost their liberty.

Whatever justice and systematic perfection there was in the Roman law, was due to the science and equity of the jurisconsults, its expounders. So too in France, profound learning and disinterested courage have rendered illustrious the *noblesse de la Robe*. But there, as under the Roman empire, the fountain head of the law is the will of one man. No man in France, unless it be the Emperor, has the feeling inherent under the common law to every Englishman and American, that he has rights, which knowing, he dares defend. Does some venerable deputy in the Legislative body urge, as happened a few weeks since, that some imperial decree has not the force of law because not sanctioned by the Constitution, M. Favre, the bravest patriot in the Chamber, its president

seated before him high on a throne of royal state, an emblem of despotic power, hopelessly exclaims, "*Nous sommes in manu*"—the argument is useless.

With us the action of every officer of the law or government is purely ministerial. The particular instrument by whom effect is given to the rule, or judgments of the law, is of no personal significance or importance. In France, on the other hand, in every official, from the President of the Chamber of Deputies down to the common *gendarmes* or policemen, the insolence of office is aggravated by a semblance of being the expression of personal will. The very judges of the tribunals serve not simply as the mouth-piece through which the voice of law and justice is transmitted, but vouchsafe so much and such justice, as is warranted by the personality, for whom they are the substitute.

If Rome excelled, or France excels in the perfection and system of their *lex* or statute law, the basis of the authority of that *lex* or statute law was, under the Roman Empire, and is now in France, in fact, however that fact may be disguised, the will of a single individual supported by force. This is the fundamental resemblance between the law of the Roman and of the French Empire. In England and America the sole basis upon which the *lex* or statute law and its administration rests for its authority is *jus*, or right reason, that law whose seat, according to Hooker, is the bosom of God. And this is the fundamental difference between the law of England and America and that of the Roman and French Empires.

There are, however, Americans who incline to prefer the French system of government to our own. They say that the steps by which the Emperor climbed to power may not have been entirely justifiable, but such men are not judged by precisely the same rules with common men. There may

be some objections to an imperial government in theory, but the ends of government are in practice better secured in France than with us. Taxation is in its least burdensome form. The police is admirable, crime is punished, beggary is unknown, the land is cultivated to the highest degree, the inhabitants are industrious, happy and well-behaved, and property is secure. The Emperor seeks the good of his people. His Steamship Lines, the *Messagérie Impériale*, and the *Compagnie Transatlantique* are beating the best English lines. He has rebuilt every city of France. He is an able man, and like another Cromwell has made his country prosperous at home and respected abroad. In our own public affairs there is nothing but corruption. Politicians have everything their own way. Our laws are made by men like John Morrissey and Fernando Wood.

While such is the language of but too many Americans, that of the most enlightened men of France is of a widely different tenor. M. Chevalier, Senator of France, and one of its most distinguished men, opened his Course of Lectures upon Political Economy at the College of France last winter, with an elaborate written address. The writer was present. The hall was crowded to the utmost, many persons going away because unable to obtain admission. The distinguished lecturer could find no better illustration of the highest prosperity attained by a community than in the State of Massachusetts. A large portion of his hour was consumed in a glowing description of the triumphs achieved in that distant State over natural difficulties by the intelligence and industry of its citizens. Productiveness was wrung by them even from the severity of its climate and the barrenness of its soil. Its very ice was made valuable for commerce, and he had seen with his own eyes granite from Quincy landed upon the wharves at New Orleans as an article of merchandise.

Marvellous are the results, said the lecturer, of leaving man's labor and industry free!

M. Laboulaye, a not less distinguished man, is well known in this country for his earnest advocacy of the American cause during our late war, when it labored in Europe under so much disfavor. He is the author of two works, one upon the Constitution, and the other upon the history of the United States. Many courses of lectures have been devoted by him expressly to the explanation and recommendation of American institutions. And whatever the precise subject of his lectures, the cause he has at heart, is to urge without ceasing, at whatever danger to himself personally, the value of the very principles of government which form the corner-stone of our own system. He has made the propagation of them his vocation, and his efforts in that vocation are skilful, persevering and unrelenting.

These men are not alone. Others too, worthy successors of the philosophic spirits of France of the last century, from whom our fathers derived the most democratic elements in our Constitution and policy, by conversation, in the lecture room, and by the press, labor to the same end. In the cities, intercourse among the mechanics and workingmen cannot be prevented. Public sentiment in them steadily advances. Would that the agitation might also reach the agricultural population of the country.

Towards the close of the last century, the giant of the French democracy roused itself from its slumbers, and burst the restraints that oppressed it. By one convulsion, it revolutionized society and resumed its normal rights and estate. Not only was royal power overthrown for the time, but the royal claim of divine right was overthrown forever. Aristocracy, too, was ended, and the lands which had been engrossed by the nobles and the church, were subjected to

indefinite subdivision. Fundamental changes were made in the organization of society and wise regulations adopted, which were subsequently embodied in a code, known by the name of the *Code Napoléon.* And it is from these changes thus introduced by the great French Revolution, that have resulted the high cultivation of the land and such prosperity as exists in France. While all that is good in French legislation and institutions may thus be traced to a republican or democratic origin, protected by imperialism, aristocracy slowly recovers power and privilege, and the Catholic church crawls on like some foul disease, and silently fastens each year upon additional ground. Beneath imperialism inevitably accumulate the evils of the old *régime.*

A government does not atone for the promotion of indecency and vice by causing an appearance of propriety by means of a strict police. Until virtue is loved for its own sake, it has been but half learned. It is one of the greatest advantages of free society, that its vices are upon the surface. The doctrines of a party which elects men like Morrissey and Wood to represent it, are not likely to crystallize into laws.

If beggary is unknown in France, it is because it is made a crime by its laws for man to seek alms of his fellow-man. But close behind *Notre Dame,* its most ancient and splendid cathedral, the *Morgue* daily exhibits the unrecognized corpses of those who have died by their own hand, in perpetual testimony that misery has not at least ceased to exist.

For the purpose of estimating the value of different forms of government, the condition of the great body of the people is that which is to be considered. The convenience of the favored few is of less importance. The *rentier* with ample means may fare well at the *Cafés* of Paris, and be less disturbed by noise and dust there than in New York, but the mass of the people in the United States enjoy far more of the

comforts and luxuries of life than the people of France. Their labor is better paid.

While the accumulation of wealth in a few hands in Europe produces a show of greater wealth than really exists, the aggregate wealth of the United States is apt to be underestimated, because it is distributed throughout the community. But how enormous the resources of the country are was sufficiently demonstrated during the late war. The nations of Europe were astonished at the exhibition, and they have been no less astonished by the ease and quickness with which the country is recovering from its efforts. The United States is surpassed by Europe in respect to structures already erected, but need not fear comparison in respect to productiveness and the increase of capital; and this is the material point. The increase of population in this country is prodigious, while in France there is hardly any increase at all.

The education and culture, of which material wealth is the condition, are, like the material wealth itself, also, more diffused in the United States than in France.

All honor is due to the art and to the accomplishment and science of the highly educated men of France; but no adequate provision is made for the education of the body of the people. They are more ignorant than those of almost any other country in Europe, unless it be Spain. They are far more so than in the United States. Here the sound sense of the country people is the salvation of the state. In France, an argument urged last winter in the legislative body against the establishment of libraries in the country towns, was, that there was nobody in them who could use them. In the United States, schools and libraries abound everywhere. The education, commenced in the schools, is carried forward by service upon the jury, by free speech, both public and private, by the free management of private affairs, and by participation in public affairs.

The journals and newspapers of France do not, like those of our own country, reach the mass of the population. They are hampered with restrictions and vexed with continual prosecutions. They are numerous, and edited with ability, and form the channel through which the views of enlightened men find their way to the public. The standard of the articles contributed to them is high, and their style is a model of keenness and force. But much of the discussion of public affairs in them is not direct and open, but is veiled in order to avoid censorship. As the existence of this censorship is well understood, ideas may sometimes make all the more impression because their statement is thus veiled, but free and full discussion is vastly better than any veiled discussion, even though conducted with the consummate skill of the French *littérateurs*.

As part and parcel of the restrictions upon the press, unfavorable foreign comment upon the government is excluded from France. The general public is thereby deprived of the means of obtaining proper self-knowledge.

Political meetings are not allowed, and even conversation upon political matters is hindered by the traditional *espionage* of the country. The French, accordingly, dislike politics as much as the Americans like them. But universal suffrage without the right to canvass the merits of measures and of candidates is a mockery and a farce, and the claim of the emperor, that he rules by the consent of the people, is as merely a pretence as was the plea of divine right formerly alleged by kings.

Nor is this all. The civil strife of free countries, though perhaps disagreeable to elegant leisure, develops moral courage. In France men like Laboulaye and Favre are rare. Physical courage may be found, but moral cowardice in political affairs is the characteristic of the nation. Had the Girondists

displayed in the Convention a courage equal to that with which they afterwards underwent death by the guillotine, or had the cowardice of the Plain in that Convention been less abject, the horrors of the French Revolution might perhaps never have occurred.

The Catholic Church broods over the land, and is strong in the ignorance and superstition of the people. It usurps for itself the office of thinking, and thus renders impotent intelligence. It substitutes for the obligations of sound morality rules of priestly device, disguised under the name of religion, and thereby destroys the conscienee and poisons the natural instincts of humanity. Austrian power went down at Sadowa, before the common schools of protestant Prussia. Let France secure for itself freedom and universal education, or, as the Roman Empire fell before the barbarism of the North, this second Latin Empire will perish in collision with superior Northern civilization.

The nation of Lafayette and Laboulaye needs no apology, as a nation, in America. Its *bourgeoisie* and middle class have preserved their industry and purity of morals in spite of the examples of profligacy and fraud set them by kings and emperors—the greater the genuine worth, that has resisted such contamination. Unhappily all classes of society have not escaped pollution. For this the kings and emperors are jointly responsible.

Particularly in respect to the relations between the sexes does society in France seem to have become corrupt. The mind accustomed only to English and American ideas upon this subject, is shocked upon first becoming acquainted with French literature and French habits of thought. The sole interest of the drama and of social intercourse seems to be founded upon vice, and in them both vice seems to be always triumphant. The express object of its most admired

writers seems to be to destroy all respect for the most sacred ordinances of religion and of society. While to the Frenchman, on the other hand, the ideas of both the Englishman and the American appear supremely ridiculous.

The subject is a delicate one, and its discussion is difficult. It may, nevertheless, be remarked, that as ideas, by which the political institutions of the world are undergoing transformation, seem to have first had their explicit statement in France, it may be that modern society is to receive, and is receiving, from France instruction also in regard to the relations between the sexes. The morals of England and America in this behalf, are undoubtedly far higher than those of France, but neither country is so entirely without sin that it ought to cast the first stone for her condemnation. The chief error in those countries differs in kind from that of France, but error there is, even in them.

The affection of man for woman, and its willing return by woman to man, so universal in France, cannot be wholly wrong. *Honi soit qui mal y pense.* Woman in France, though virtue in one sense is wanting, preserves her self-respect, and by the practice of virtues of other kinds vindicates her right to the respect of others—a thing almost impossible under the public sentiment of England and America. She finds in France skilled employment, and exerts an influence over public affairs. She there charms the eye with her taste, and the feelings with her smile. Through her tact and sympathy society becomes a delight, and existence a privilege. While her graces and virtues are all her own, church and state are in no small measure responsible for her faults. Let them no longer, with their ordinances, attempt to eradicate or suppress the natural emotions of man, but regulate, cherish, and sanctify them, and marriage will cease to be mercenary, and will regain the honor that is due to it.

Although certain peculiarities are impressed upon a race or nation at its origin, from the influence of which it never escapes, yet the notion that the destiny of the Latin, of the Teutonic, of the Anglo Saxon, or of any other race is manifest, is an idle one. Each individual knows of his own consciousness, and finds, upon experiment, that, subject to the laws of nature and the circumstances that surround him, the action of his own free will is an ingredient in the formation of his destiny. The action of the free will of the individuals of whom a race or nation is made up, is an ingredient no less decisive in the formation of its destiny, and, as this is the ingredient which is subject to control, it is the one which it is the part of wisdom mainly to consider.

The founders of this republic are justly entitled to honor and esteem, because they willed and accomplished the organization of a state based upon the principles of freedom; and their descendants of this generation will be entitled to kindred honor and esteem, when they have by their voluntary action made complete the recognition of those principles, and established equal rights for all.

Nations, as well as individuals, must work out their own salvation. The plea of French imperialism, that it exists by the consent of the people, is fatal to it. If the people are competent to the adoption of it, they are fit to decide for themselves in other matters. But self-government is also their duty; and they are bound, as part of that duty, to devise and select the best methods for the performance of it.

Useful labor, the beneficial exercise by man of his faculties, is that upon which honor and social distinction ought properly to rest. According to Montesquieu, France exists for glory and for victory. Hereafter let it seek its glory solely in useful labor, and its victory only over the elements. Then will its destiny be happiness.

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